

**STANDARD APPLICATION
Harford County
Board of Appeals**

Bel Air, Maryland 21014

MAR 19 2007

Case No. 5593
Date Filed 3/13/07
Hearing Date _____
Receipt _____
Fee \$450.00

Shaded Areas for Office Use Only

Type of Application

☐ Administrative Decision/Interpretation
☐ Special Exception
☐ Use Variance
☐ Change/Extension of Non-Conforming Use
☐ Minor Area Variance
☐ Area Variance
☐ Variance from Requirements of the Code
☐ Zoning Map/Drafting Correction

Nature of Request and Section(s) of Code _____

CASE 5593 MAP 27 TYPE Variance

ELECTION DISTRICT 05 LOCATION 3242 Conowingo Road, Street 21154

BY Hazel Groff and Lisa Groff

Appealed because a variance pursuant to Sec. 267-21 of the Harford County Code
to allow the removal and replacement of a mobile home requires approval by the Board.

NOTE: A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

Owner (please print or type)

Name HAZEL A. GROFF Phone Number 410-836 3399

Address 3242 CONOWINGO RD STREET MD 21154
Street Number Street City State Zip Code

Co-Applicant LISA D. GROFF Phone Number 410 457-5658

Address 3242 CONOWINGO RD STREET MD 21154
Street Number Street City State Zip Code

Contract Purchaser _____ Phone Number _____

Address _____
Street Number Street City State Zip Code

Attorney/Representative _____ Phone Number _____

Address _____
Street Number Street City State Zip Code

Land Description

Address and Location of Property 3242 CONOWINGO Rd
STREET MD 21154

Subdivision N/A Lot Number _____

Acreage/Lot Size 2.433 Election District 05 Zoning C-B3/A-1

Tax Map No. 27 Grid No. 2B Parcel 9 Water/Sewer: Private ☒ Public _____

List ALL structures on property and current use: SEE ATTACHED

Estimated time required to present case: 30 minutes

If this Appeal is in reference to a Building Permit, state number N/A

Would approval of this petition violate the covenants and restrictions for your property? YES

Is this property located within the County's Chesapeake Bay Critical Area? Yes _____ No ☒

If so, what is the Critical Area Land Use designations: _____

Is this request the result of a zoning enforcement investigation? Yes _____ No ☒

Is this request within one (1) mile of any incorporated town limits? Yes _____ No ☒

Request

SEE ATTACHED

Justification

SEE ATTACHED

If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)

REQUEST

I would like to replace my existing mobile (manufactured) home with a new manufactured home by the end of June 2007. I would like the new home to be between 1300 - 1800 square feet; whatever the board will allow.

JUSTIFICATION

Hi, I am Lisa Groff. The Groff family has owned the property at 3242 Conowingo Rd. Since 1944. In 1956 my mother-in-law and her husband moved into the house at the front of the property and a mobile home was placed in the "back lot" in 1957 for her mother and father. The trailer was approximately 10' x 36' or 360 square feet. (See attached documents #1 and #2.)

In 1979 a new trailer was brought in to replace the first trailer (See attached document #3). Its dimensions are 14' x 66' with a 7' x 24' expando or 1092 square feet. It is the existing trailer on the property today. It is over 27 years old and is basically falling apart. The floors are rotted in some places, mostly along the front wall of the trailer. There is also extreme deterioration of all the window and window frames. The ceiling throughout the trailer has significant water damage due to condensation between the roof and ceiling. This has also caused mold to form inside the ceiling. I have replaced a lot of the old ceiling with a drop ceiling because of excess water damage. This is an ongoing problem as the condensation build up continues. Also, the roof which was replaced once already is buckling and leaking. Finally, the foundation (outer wall) is cracked in many places. (See included pictures)

My husband passed away in October of 2000. I plan to remarry in June of 2007. I have two children of my own and Rodney has one child. The current trailer is a three bedroom home with 1 ½ bathes. The bedrooms are very small, averaging 10' x 10'. Needless to say, for a family of five, this trailer is very small and doesn't supply enough room for all of us.

Finally, it is important to us all that we remain "on the hill". Hazel is 78 years old and counts on us for help with yard work, maintenance, etc. This is our home and has been for over twenty years. We would love to continue living here and in order to do that, a new home is needed.

Also see attached documents #4 and #5.

Documents # 4 is the deed giving the property to Hazel and Herbert Groff from her mother and father in 1958.

Document #5 is a zoning certificate from 1960. It is for a gun repair shop - now a storage garage on the property. I feel this document is important to my case because it states in red type that at one time the property was mostly zoned Agricultural.

List all Structures and Current Use

- 1.) Single family home - occupied
- 2.) Garage (shop) - storage for single family home
- 3.) Small Garage - storage (mowers, rakes, etc...)
- 4.) Mobile Home - occupied
- 5.) Small Shed - storage for mobile home
- 6.) Pool

1

ZONING CERTIFICATE
Harford County, Maryland

Certificate No. 3864

Application No. 3422

Date April 24, 1957

The Applicant, Edwin T. Anderson (see H. Edward Anderson et al)
(Name)

Street, Md.
(Address)

having complied with the provisions of Ordinance 4A, otherwise known as the Interim Zoning Ordinance, is hereby granted permission to use the property herein described for the purpose indicated:

Location 5th Dist. Northwest side U.S.#1, approximately 1/4 mile
Southwest of Poplar Grove, adj. Paul Rutherford

To be used for locate trailer and install outside disposal system

Minimum Building Setback 50 feet from existing state road right of way line

Conditions ONLY ONE TRAILER PERMITTED ON THIS LOT

Date Approved April 26, 1957


Zoning Inspector

(NOTE: Permit for a residential use does not include a home occupation, boarding or lodging house, or any other commercial activity unless specifically authorized above.)

DISAPPROVAL

Use of the above-described property for the use indicated is **disapproved** because of conflict with the provisions of Ordinance 4A in the following respects:

Date Disapproved _____
Zoning Inspector

(NOTE: Disapproval may be appealed within 20 days, to the Board of Appeals. See Zoning Inspector for further information and assistance.)

BUILDING PERMIT

COUNTY COMMISSIONERS OF HARFORD COUNTY

Bel Air, Md., 15 May, 1957

To Edwin D. Anderson (Applicant)

In accordance with your application as provided by Section 84 of Article 13 of the Code of Public Local Laws of Maryland, title "Harford County," sub-title "Reassessments" as repealed and re-enacted by the Acts of the General Assembly of Maryland, 1939 session, permit is hereby given for the construction of a new building, or improvements to an existing building, on the property of H. Edward Anderson, et al in the 5th District of said County, at or near Poplar Grove; the said new construction described as follows:

Locate trailer & install
outside disposal system

at your estimated cost of \$ 165 -

COUNTY COMMISSIONERS OF HARFORD COUNTY.

8861

By [Signature]

Clerk.

2



State of Maryland
Department of Health
HARFORD COUNTY

DEPUTY STATE HEALTH OFFICER
AND COUNTY HEALTH OFFICER

NEIL GORDON, M.D., D.P.H.

STATE BOARD OF HEALTH

MAURICE C. PINCOFFS, M.D.
RALPH J. YOUNG, M.D.
A. AUSTIN PEARRE, M.D.
LLOYD N. RICHARDSON, PHAR. D.
GEORGE M. ANDERSON, D.D.S.
A. L. PENNIMAN, JR., P.E.
HUNTINGTON WILLIAMS, M.D., DR. P.H.
PERRY F. PRATHER, M.D., CHAIRMAN

BEL AIR, MD.

May 15, 1957

HD NO. 3101

AO NO. 3422

SANITARY CONSTRUCTION PERMIT

Plans and specifications submitted by Mr. Edwin Anderson, Street,
Maryland (owner)

for the construction (~~reconstruction~~) of the sewage system--500 gal.
septic tank and one 8' x 10' seepage pit

at northwest side U. S. Rt. 1 approx. 1/4 mile southwest of Poplar
Grove adjoining Paul Rutherford

on property owned by himself

are hereby approved and permission granted for the construction of
this disposal system.

Trenches must not be filled in until
inspection has been made and the
COMPLETION CERTIFICATE issued.

By Gerard Miller
Gerard Miller, Sanitarian

HARFORD COUNTY HEALTH DEPARTMENT, BEL AIR

Application for Sanitary Construction Permit

1. OWNER Anderson Edwin Street Md Gladstone
 Last Name First Name Address Phone No. 7-2786

2. Builder or General Contractor (If any) _____
 Last Name First Name Address

3. Plumber Self _____
 Last Name First Name Address

4. Exact Location of Building Site 8 miles North of Bel-Air on
route 1 on the left
 (Give detailed road directions so inspector can find the site.)

5. Size of lot 250 feet x 250 feet. 6. Is it in Town limits? Yes ☐ No ☒

7. Type of building under Construction: Individual home ☐ Motel ☐ Tourist Camp ☐ Trailer Camp ☐ Apartment House ☐
 Commercial Bldg. ☐ Other ☐ house trailer

8. Type of Construction: New ☐ Remodeling ☐ Addition ☐

9. Proposed Water Supply System: Municipal Connection ☐ Drilled Well ☐ Dug Well ☒ Spring ☐ Other ☐

To be installed by: Already on the lot _____
 Name Address

10. Proposed Sewage Disposal System: Municipal Connection ☐ Septic Tank & Tile Fields ☐ Septic Tank & Seepage Pit ☒
 Other ☐

To be installed by: Owner ☒ Builder ☐ Contractor ☐ Plumber ☐

11. Septic Tank: Total Liquid Capacity 500 gallons.
 Distance of tank from ANY water Supply Source 110 feet. Dimensions of Tank 36 x 54 x 72 feet.
 Tank is Built of: Metal ☒ Concrete ☐ Other ☐

12. Tile Field (if used): Total Length of Lines _____ feet. Distance from ANY Water Supply Source to Nearest part of
 Tile Field _____ feet.

PERCOLATION TEST: _____
 Date Performed. Result in Minutes

13. Seepage pits (if used): Number 1 and size 8 feet x 10 feet. Distance from ANY Water Supply
 Source to seepage pits 120 feet.

PERCOLATION TEST: May 15 _____
 Date Performed. Result in Minutes 9 mins

14. Signature of Owner Edwin Anderson Date of Application May 15, 1957

15. Put drawing on other side.

Permit # 3101

Building Application No. 3422

Issued 5/15/57 By Gerard Miller

Completed _____

PLEASE RETURN BOTH COPIES OF THIS APPLICATION TO COUNTY HEALTH DEPARTMENT

3

PERMIT APPLICATION & ZONING CERTIFICATE

HARFORD COUNTY

DEPARTMENT OF INSPECTIONS, LICENSES & PERMITS
45 S. MAIN STREET • BEL AIR, MARYLAND 21014

BLDG. PERMIT NUMBER

226-80

DATE ISSUED

FEE

\$30.00

502/258

| | | | | | | | | | | | | | | |
|----------------------|--|----------------|----------------|----------------|----------------|---------|----------------|--------------------------------|--|--------------|-------------------|-----------|-----------|-------|
| INFORMATION | JOB LOCATION 3242 CONOWINGO ROAD | | | | | | | | | | | | | |
| | SUBDIVISION | | | | | LOT NO. | SEC. NO. | PLAT. NO. | CENSUS TRACT NO. 3051 | | | | | |
| CONTRACT INFORMATION | ELECTION DIST. | INDEX | USE | MAP | BLOCK | PARCEL | AUV | YES (NO) | ACREAGE/LOT SIZE | | | | | |
| | 5 | 245100 | R | 27 | B2 | 009 | | | 2.433 AC. | | | | | |
| DESCRIPTION OF WORK | PROPERTY OWNER & ADDRESS HAZEL GROFF - 3242 CONOWINGO ROAD, STREET, MD. 838-6000 EXT. 226 | | | | | | | | | | PHONE 457-4590 | | | |
| | APPLICANT & ADDRESS SAME | | | | | | | | | | PHONE | | | |
| | CONTRACTOR & ADDRESS | | | | | | | | | | PHONE | | | |
| DETAILED INFORMATION | REPLACE EXISTING MOBILE HOME W/NEW MOBILE HOME 300 | | | | | | | | NO. PLANS SUBMIT. | EST. COST | | | | |
| | | | | | | | | | | \$20,000. | | | | |
| | BASEMENT SIZE | | 1ST FLOOR SIZE | | 2ND FLOOR SIZE | | 3RD FLOOR SIZE | | GARAGE SIZE | CARPORT SIZE | FIRE PLACE | | | |
| | | | 14'x70' | | | | | | | | | | | |
| | EXTERIOR FIN. | | BREEZEWAY SIZE | | DECK/PORCH | | BASE/REC. RM. | | SD BASIN | | | | | |
| METAL | | | | | | | | | | | | | | |
| NO. BEDROOMS | | NO. FULL BATHS | | NO. HALF BATHS | | PUBLIC | | <input type="checkbox"/> SEWER | <input checked="" type="checkbox"/> SEPTIC | GAS | ELEC. | TYPE HEAT | AIR COND. | OTHER |
| 3 | | 1 | | 1 | | | | <input type="checkbox"/> WATER | <input checked="" type="checkbox"/> WELL | | | OIL | YES | |

I have carefully examined and read this application and the same is true and correct to the best of my knowledge and belief. In doing this work, all provisions of the Harford County Codes and laws of the State of Maryland will be complied with, whether specified or not. I will notify the Department of Inspections, Licenses and Permits twenty four (24) hours in advance, when I am ready for inspections. No work will be concealed until approved. Consent is given for the entry of authorized inspectors until the job has received a Certificate of Occupancy.

CAUTION: A PERMIT WILL EXPIRE (1) YEAR FROM DATE OF ISSUE, UNLESS WORK IS STARTED AND DILIGENTLY PURSUED.

SIGNATURE

DATE

7/19/79

☒ REQUIRED PLOT PLAN ATTACHED AND COMPLETED.

| | | | | | | | |
|--------------|----------|-------------|------------|------------|--------------|----------|-------|
| NEW BUILDING | ADDITION | ALTERNATION | ONE FAMILY | TWO FAMILY | MULTI FAMILY | NO UNITS | OTHER |
| X | | | X | | | | |

| NON-RESIDENTIAL (DESCRIPTION) | | | | ACCESSORY (DESCRIPTION) | | | |
|---|---------------------|--------------|----------|-------------------------|--------------|--|--|
| PROPOSED | LOT/TRACT AREA | MIN. BY ORD. | PROPOSED | OFF STREET PARKING | MIN. BY ORD. | | |
| PROPOSED | LOT AREA PER FAMILY | MIN. BY ORD. | PROPOSED | LOT WIDTH | MIN. BY ORD. | | |
| PROPOSED | FRONT YARD SETBACK | MIN. BY ORD. | PROPOSED | REAR YARD | MIN. BY ORD. | | |
| PROPOSED | RIGHT SIDE YARD | MIN. BY ORD. | PROPOSED | LEFT SIDE YARD | MIN. BY ORD. | | |
| * YARD SETBACK BUILDING LINE VERIFICATION LOT SHOWN ON SUBDIVISION RECORD PLAT NOTED ABOVE AND APPROVED BY PLANNING COMMISSION REQUIRES GREATER SETBACK OR YARD REQUIREMENTS THAN MINIMUMS PRESCRIBED BY ZONING ORDINANCE. <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NOT APPLICABLE | | | | | | | |

SPECIAL CONDITIONS MOBILE HOMES SHALL BE ANCHORED IN ACCORDANCE WITH HARFORD COUNTY LAW

76-91 EFFECTIVE 3/4/77.

Not more than one trailer for single family use shall be permitted on this lot. Each attachment of a trailer shall require a new application to be filed with the zoning inspector lot existed in 1921.

4

THIS DEED, Made this 18th day of April, in the year 1958, by EDWIN T. ANDERSON and EDITH R. ANDERSON, his wife, of Harford County, State of Maryland.

WITNESSETH, That for and in consideration of the sum of Ten Dollars and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said Edwin T. Anderson and Edith R. Anderson, his wife, do hereby grant and convey unto HERBERT R. GROFF and HAZEL A. GROFF, his wife, all those tracts or parcels of land situate and lying in the Fifth Election District of Harford County, Maryland, more particularly described as follows: (1) All that tract or parcel of land lying on the westerly side of the road leading from Deer Creek to Poplar Grove, known as U. S. Route No. 1, containing two and four hundred and thirty-three thousandths (2.433) acres, more or less. (2) All that tract or parcel of land lying on the easterly side of the public road leading from the McCann Corner- Sandy Hook Road to the Poplar Grove-Dublin Road, containing thirteen and four-tenths (13.4) acres, more or less. The two above described tracts or parcels of land being the same and all the land conveyed by and described in a deed from Janet E. Pyle, unmarried, to Harry Edward Anderson, for life, with remainder over at his death unto Edwin T. Anderson and Edith R. Anderson, his wife, as tenants by the entireties, dated January 24, 1950, and recorded among the Land Records of Harford County in Liber G. R. G. No. 339, folio 85, the said Harry Edward Anderson having since died.

TOGETHER with all the improvements thereon, and all the rights, roads, ways, waters, easements, privileges and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above described parcels of land and premises unto the said Herbert R. Groff and Hazel A. Groff

his wife, as tenants by the entireties, their assigns or the survivor of them, or the heirs and assigns of the survivor of them, forever in fee simple.

AND the said Edwin T. Anderson and Edith R. Anderson, his wife, do hereby covenant to warrant specially the lands and premises above described and hereby intended to be conveyed, and to execute such other and further assurances of the same as may be requisite and necessary.

AS WITNESS our hands and seals the day and year first above written.

Witness:

Edwin T. Anderson (SEAL)
Edwin T. Anderson

Helen H. Morrison
Helen H. Morrison

Edith R. Anderson (SEAL)
Edith R. Anderson

ALL TAXES PAID
KATHERINE E. ANDERSON, TREAS.
5/8/58

STATE OF MARYLAND, HARFORD COUNTY, SCT:

I hereby certify that on this _____ day of April, in the year 1958, before me, the subscriber, a Notary Public of the State of Maryland, in and for Harford County, duly commissioned and qualified, personally appeared Edwin T. Anderson and Edith R. Anderson, his wife, and they acknowledged the foregoing deed to be their respective act.

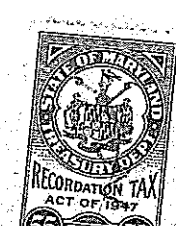
Witness my hand and notarial seal.

TRANSFERRED
STEPHEN M. KAHOE s/c
PER 5/8/58

Helen H. Morrison
Helen H. Morrison,
Notary Public.

RECEIVED FOR RECORD
& RECORDED IN BOOK
NO. 502 PAGE 259 OF THE

May 8, 1958 PM '58



Principal Permitted Use: Sec. #5
Accessory Use: Sec. _____
Conditional Use: Sec. _____
Other: Sec. _____

**ZONING
CERTIFICATE**
**HARFORD
COUNTY
MARYLAND**

Zoning Certificate No. 8272
Date Z. C. Issued Nov 15, 1960
Application No. 7550
Application Date Oct 20, 1960

Applicant Herbert E. Graff
Address Street Md. P. O. Box 179 RD 2
Location 1/4 mile east of Sand Hook Road, 5th Dist. north side U.S. Route 1
(Conowingo Rd)
To Be Used For gun repair sales and shop (size 25'x30')
Zone District B-3 Gen Bus Dist. (extends 200 ft in depth from Route 1 right of way lines, balance in A-1 Agric. Dist)

APPROVAL

Use of the above property as described by the applicant, owner or agent for the use indicated by same is **APPROVED** subject to conformity with the minimum requirements of the Harford County Zoning Ordinance No. 6 or amendments.

Minimum Building Setback Requirements:

Front Yard Depth

- (a) _____ feet from county road right-of-way lines by measuring back _____ feet from center line of existing county road.
- (b) 25 feet from existing state road right-of-way lines.
- (c) _____ feet from proposed state road right-of-way lines by measuring back _____ feet from center line of existing state road.
- (d) _____ feet from street right-of-way lines.
- (e) _____

Side Yard Widths

- (a) _____ feet least width for one side yard.
- (b) _____ feet SUM of least widths for both side yards.
- (c) none except adjoining "R" Dist. in which case not less than 20 feet.

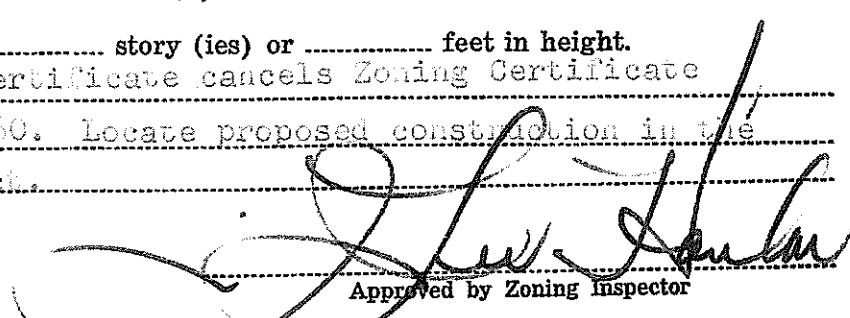
Rear Yard Depth

- (a) 30 feet from rear lot line.
- (b) _____

Height Regulations: Structure shall not exceed _____ story (ies) or _____ feet in height.

Conditions and Requirements: This Zoning Certificate cancels Zoning Certificate No. 8320 issued October 27, 1960. Locate proposed construction in the "B-3" General Business District.

Note: Permit for a residential use does not include a home occupation, boarding or lodging house, or any other business activity unless specifically authorized above.


Approved by Zoning Inspector

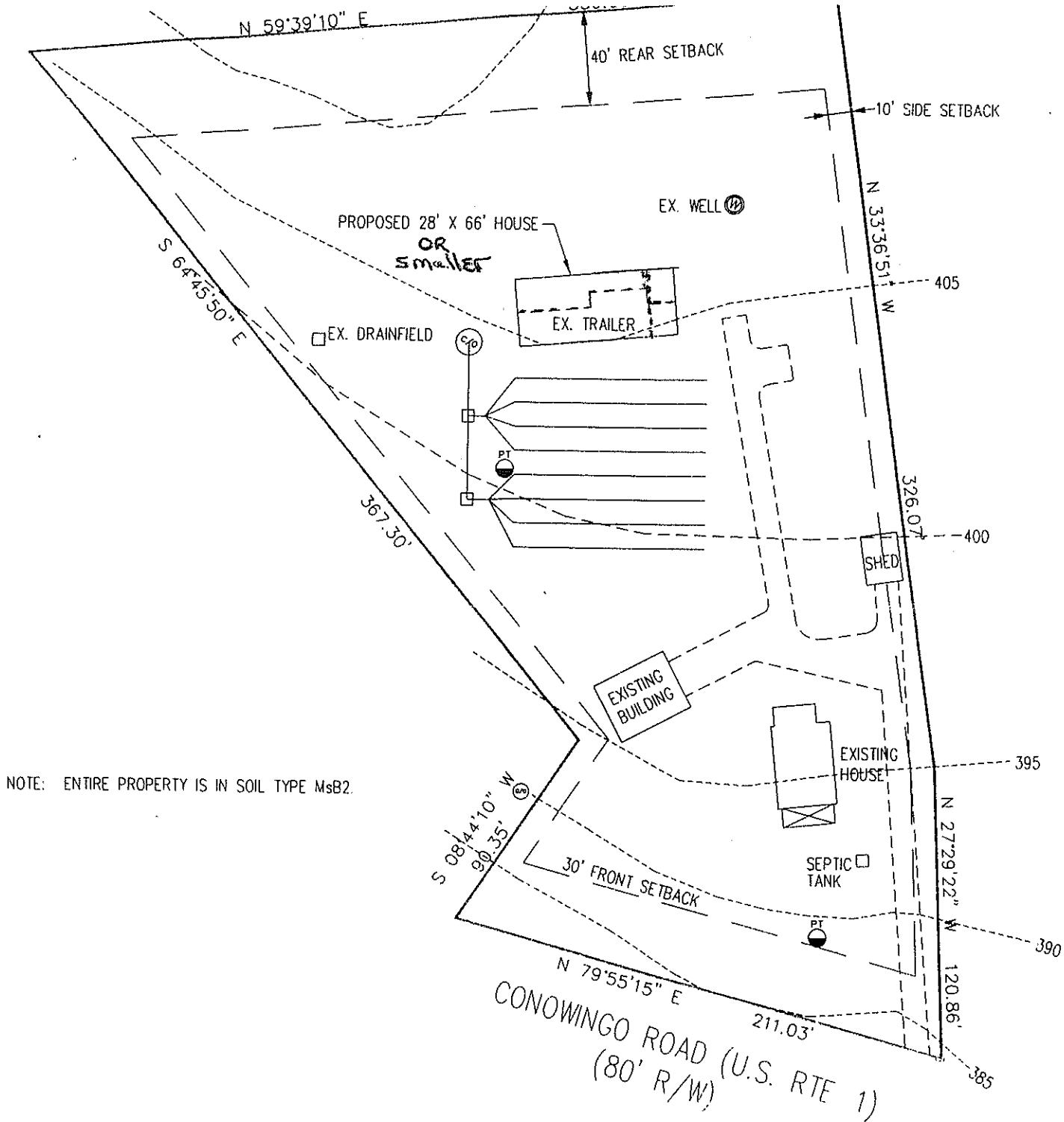
DISAPPROVAL

Use of the above-described property for the use indicated is **DISAPPROVED** because of conflicts with the provisions of the Harford County Zoning Ordinance No. 6 or amendments in the following respects: _____

Note: Any decision by the Zoning Inspector may be appealed within 20 days to the Board of Appeals. See the Zoning Inspector for further information and assistance.

Disapproved by Zoning Inspector

(Violations and Penalties are outlined in Section 19.4 of said Ordinance)



Setback Accuracy 1' +/-

RECORDED: 2139/1086

PLOT PLAN

3242 CONOWINGO ROAD

5TH ELECTION DISTRICT
HARFORD COUNTY, MARYLAND

K.L.S. CONSULTANTS, INC.

ENGINEERS AND SURVEYORS
4401 PHILADELPHIA ROAD
BEL AIR, MARYLAND 21015
(410) 734-0445

DATE

SCALE

FILE NO.

DAVID R. CRAIG
HARFORD COUNTY EXECUTIVE

LORRAINE COSTELLO
DIRECTOR OF ADMINISTRATION



C. PETE GUTWALD
DIRECTOR OF PLANNING & ZONING

HARFORD COUNTY GOVERNMENT

Department of Planning and Zoning

April 25, 2007

STAFF REPORT

BOARD OF APPEALS CASE NO. 5593

APPLICANT/OWNER: Hazel A Groff
3242 Conowingo Road, Street, Maryland 21154

Co-APPLICANT: Lisa D. Groff
3242 Conowingo Road, Street, Maryland 21154

REPRESENTATIVE: Applicants

LOCATION: 3242 Conowingo Road
Tax Map: 27 / Grid: 2B / Parcel: 9
Election District: Five (5)

ACREAGE: 2.433 acres

ZONING: B3/General Business District and AG/Agricultural

DATE FILED: March 13, 2007

HEARING DATE: May 9, 2007

APPLICANT'S REQUEST and JUSTIFICATION:

See Attachment 1.

CODE REQUIREMENTS:

The Applicants are requesting a variance pursuant to Section 267-21 of the Harford County Code to allow the removal and replacement of a mobile home.

Section 267-21 of the Harford County Code reads:

Preserving Harford's past; promoting Harford's future

STAFF REPORT

Board of Appeals Case Number 5593

Hazel & Lisa Groff

Page 2 of 6

Enlargement or extension of non-conforming buildings, structures or uses.

The Board may authorize the extension or enlargement of a nonconforming use, with or without conditions. Provided that:

- A. The proposed extension or enlargement does not change to a less-restricted and more intense use.*
- B. The enlargement or extension does not exceed fifty percent (50%) of the gross square footage in use at the time of the creation of the non-conformity.*
- C. The enlargement or extension does not violate the height or coverage regulations for the district.*
- D. The enlargement or extension would not adversely affect adjacent properties, traffic patterns or the surrounding neighborhood.*
- E. The limitations, guides and standards set forth in Section 267-9I, Limitations, guides and standards, are considered by the Board.*

Section 267-91 of the Harford County Code will be discussed in detail later in the report.

LAND USE and ZONING ANALYSIS:

Land Use – Master Plan:

The subject property is located on the north side of Conowingo Road (US Rte 1) approximately 1800 feet west of Forge Hill Road. A location map and a copy of the Applicant's site plan are enclosed with the report (Attachment 2 and 3).

The Applicant's property is located outside of the Development Envelope. The predominant land use designation in the area is Agricultural. The Natural Features Map reflects parks, Deer Creek Scenic River District, Stream Systems, Sensitive Species Project Review Areas, Rural Legacy Areas, and Agricultural Preservation Districts and Easements. The subject property is designated Agricultural which is defined by the 2004 Master Plan as:

***Agricultural** – Areas where agriculture is the primary land use, but where development rights are available. Residential development is possible at a density of 1.0 dwelling unit for every 10 acres. Commercial uses within this area are intended to serve the agriculture industry or residents of the area while maintaining the character of the surrounding countryside.*

Enclosed with the report are copies of portions of the 2004 Land Use Map and the Natural Features Map (Attachments 4 and 5).

Land Use – Existing:

STAFF REPORT

Board of Appeals Case Number 5593

Hazel & Lisa Groff

Page 3 of 6

The existing land uses conform to the overall intent of the Master Plan. The predominant land use in the area is Agricultural which includes cropland, pastureland and large areas of dense woodland. The topography of the area ranges from rolling to steep. There are no major residential developments in this area. Commercial uses are generally found along Conowingo Road (US Rte 1) and within the Village Centers in the area. Enclosed with the report is a copy of the aerial photograph and a topography map (Attachments 6 and 7).

The subject property is an unusual shaped parcel located on the north side of Conowingo Road consisting of 2.42 acres with approximately 211 feet of road frontage. The topography of the lot is rolling and slopes up from Conowingo Road to the front of the house. Presently there are two occupied dwellings on the property. There is an older frame 1 ½ story dwelling located to the front of the lot and the second dwelling is a single wide mobile home. Other improvements consist of a small block and frame garage, a larger block garage with a shop and storage, two sheds and a pool. The driveway is blacktopped and extends from the road to the rear of the first dwelling where there is a parking pad. The driveway continues toward the rear of the lot with a parking and turning pad near the mobile home. The property contains several mature trees, especially across the rear. Enclosed with the report are site photographs along with an enlargement of the aerial photograph (Attachments 8 and 9).

Zoning:

The zoning classifications in the area are consistent with the 2004 Master Plan as well as the existing land uses. The predominant zoning classification is AG/Agricultural. Along both sides of US Rte 1 is an area of B3/General Business zoning. The subject property is split zoned with B3/General Business in the front and AG/Agricultural across the rear. Enclosed with the report is a copy of the Zoning Map (Attachment 10).

SUMMARY:

The Applicants are requesting a variance pursuant to section 267-21 of the Harford County Code to allow the removal and replacement of a mobile home.

Section 267-21:

Enlargement or extension of non-conforming buildings, structures or uses.

The Board may authorize the extension or enlargement of a nonconforming use, with or without conditions. Provided that:

- A. The proposed extension or enlargement does not change to a less-restricted and more intense use.*

The Groff family has owned the property since 1944 and in 1956 the Applicant's mother-in-law moved into the house at the front of the property. In 1957 a mobile home was moved to the rear

STAFF REPORT

Board of Appeals Case Number 5593

Hazel & Lisa Groff

Page 4 of 6

portion of the property. In 1979 a new mobile home replaced the older unit. The unit to be replaced is 27 years old. The Applicant has supplied photograph to attest to the condition of the mobile home (Attachment 11). The use of the property will not change.

B. The enlargement or extension does not exceed fifty percent (50%) of the gross square footage in use at the time of the creation of the non-conformity.

The Applicants are requesting to replace the existing unit (1092 square foot) with a mobile home approximately 1300 square feet. The Applicant states that she must remain on the property and close to her mother-in-law because she is now 78 years old and depends on them to help maintain the property and improvements. The Applicants, in the late 70s, were given a permit to replace the original unit. Enclosed with the report is documentation of the existence of the mobile homes (Attachment 12).

C. The enlargement or extension does not violate the height or coverage regulations for the district.

The proposal will not violate the height or coverage regulations.

D. The enlargement or extension would not adversely affect adjacent properties, traffic patterns or the surrounding neighborhood.

The proposal will not have an adverse impact on the neighborhood.

E. The limitations, guides and standards set forth in Section 267-9I, Limitations, guides and standards, are considered by the Board.

Section 267-9I:

(1) The number of persons living or working in the immediate area.

This area of the county contains agricultural and residential uses. Along Route 1 there is a mix of residential and commercial uses. The request will not impact persons living or working in the area.

(2) Traffic conditions, including facilities for pedestrians, such as sidewalks and parking facilities, the access of vehicles to roads; peak periods of traffic, and proposed roads, but only if construction of such roads will commence within the reasonably foreseeable future.

The subject property fronts on the north side of Conowingo Road (US Rte 1) which is a State owned and maintained highway. The sight distance on US Rte 1 at the driveway entrance is good in both directions. The request will not impact traffic on US Rte 1.

STAFF REPORT

Board of Appeals Case Number 5593

Hazel & Lisa Groff

Page 5 of 6

- (3) *The orderly growth of the neighborhood and community and the fiscal impact on the county.*

The proposal will have no fiscal impact on the County.

- (4) *The effect of odors, dust, gas, smoke, fumes, vibration, glare and noise upon the use of surrounding properties.*

The proposal will have no impact on any of the issues listed in this section.

- (5) *Facilities for police, fire protection, sewerage, water, trash and garbage collection and disposal and the ability of the county or persons to supply such services.*

The Harford County Sheriff's Office and the Maryland State Police will provide police protection. The Dublin/Darlington Volunteer Fire Departments will provide fire protection and emergency services. The property is served by private well and septic system. A company of the Applicant's choice will handle trash collection.

- (6) *The degree to which the development is consistent with generally accepted engineering and planning principles and practices.*

The request is consistent with generally accepted planning principles and practices. There have been two dwellings on the property since the mid 50's.

- (7) *The structures in the vicinity, such as schools, houses of worship, theaters, hospitals and similar places of public use.*

The proposal should have no impact on any of the uses listed in this subsection.

- (8) *The purposes set forth in this Part 1, the Master Plan and related studies for land use, roads, parks, schools, sewers, water, population, recreation and the like.*

The proposal is consistent with the Master Plan.

- (9) *The environmental impact, the effect on sensitive natural features and opportunities for recreation and open space.*

The proposal should have no impact on the surrounding natural features.

- (10) *The preservation of cultural and historic landmarks.*

Not applicable to the request.

STAFF REPORT

Board of Appeals Case Number 5593

Hazel & Lisa Groff

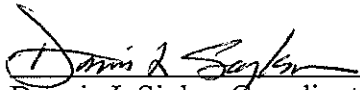
Page 6 of 6

The Department received comments from the Department of Inspection, Licenses and Permits, stating that they have no issues with replacing the existing mobile home with a new manufactured dwelling. They have requested that a demolition permit be filed for the existing mobile home to be razed. Additionally, building, electrical and plumbing permits are required to replace the unit (Attachment 13).

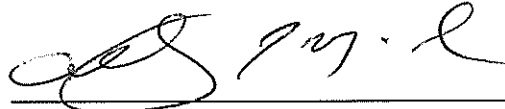
RECOMMENDATION and or SUGGESTED CONDITIONS:

The Department of Planning and Zoning recommends that the request be approved subject to the following conditions:

1. The Applicants shall obtain all necessary permits and inspections for the removal of the existing unit and the placement of the new mobile home.
2. The new mobile home shall not exceed 1500 square feet.
3. No future replacements of the mobile home will be permitted.



Dennis J. Sigler, Coordinator
Zoning & Board of Appeals Review



Anthony S. McClune, AICP
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DJS/ASM/jf